

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:22-cv-22902-KMM

SILVIA CEILO GONZALEZ,

Plaintiff,

v.

ATTORNEY GENERAL
OF THE UNITED STATES, *et al.*,

Defendants.

ORDER ON REPORT AND RECOMMENDATION

THIS CAUSE came before the Court upon United State Magistrate Judge Lauren F. Louis's Report and Recommendation ("R&R") (ECF No. 9). On September 14, 2022, this Court referred pretrial matters to Magistrate Judge Louis. *See* ECF No. 4. Thereafter, the Defendants filed a Motion to Dismiss the Complaint With Prejudice ("Motion") (ECF No. 8). On April 25, 2023, Magistrate Judge Louis issued the R&R, recommending that the Motion be GRANTED. R&R at 2–3. No objections to the R&R were filed, and the time to do so has now passed. The matter is now ripe for review. As set forth below, the Court **ADOPTS** the R&R.

The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by a magistrate judge. 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b)(3). The Court "must consider *de novo* any objection to the magistrate judge's recommendation." Fed. R. Crim. P. 59(b)(3). A *de novo* review is therefore required if a party files "a proper, specific objection" to a factual finding contained in the report. *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). "It is critical that the objection be sufficiently specific and not a general objection to the report" to warrant *de novo* review. *Id.*

Yet when a party has failed to object or has not properly objected to the magistrate judge's findings, "the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." *See Keaton v. United States*, No. 14-21230-CIV, 2015 WL 12780912, at *1 (S.D. Fla. May 4, 2015); *see also Lopez v. Berryhill*, No. 17-CV-24263, 2019 WL 2254704, at *2 (S.D. Fla. Feb. 26, 2019) (stating that a district judge "evaluate[s] portions of the R & R not objected to under a clearly erroneous standard of review" (citing *Davis v. Apfel*, 93 F. Supp. 2d 1313, 1317 (M.D. Fla. 2000))).

In her Report and Recommendation, Magistrate Judge Louis recommends granting the Motion. *See generally* R&R. Namely, Magistrate Judge Louis states that Plaintiff's Application for Naturalization "was adjudicated on January 17, 2023." *Id.* at 2. Accordingly, Magistrate Judge Louis concludes that the "case is now moot." *Id.* The Court agrees.

Accordingly, UPON CONSIDERATION of the Motion, the R&R, the pertinent portions of the record, and being otherwise fully advised in the premises, it is hereby ORDERED AND ADJUDGED that:

1. Magistrate Judge Louis's R&R (ECF No. 9) is ADOPTED;
2. Defendants' Motion to Dismiss for Mootness (ECF No. 8) is GRANTED;
3. Plaintiff's Complaint (ECF No. 1) is DISMISSED WITHOUT PREJUDICE.

DONE AND ORDERED in Chambers at Miami, Florida, this 10th day of May 2023.



K. MICHAEL MOORE
UNITED STATES DISTRICT JUDGE

c: All counsel of record